

WEDNESDAY, MARCH 17, 1993

TWENTY-FIRST LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

Representative Crain led the House in prayer and in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Callicott; family commitment.

Representative Cole (Carter).

Representative Givens; father's death.

Representative Head; illness.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh --- 93.

PRESENT IN CHAMBER

Representative(s) Kernell and Pruitt was/were recorded as being present in the Chamber.

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

March 16, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Thursday, March 18, 1993: House Bill(s) No(s). 676, 675, 1535, 664, 548, 234, 1595, 966, 1202, 352, 1531, 160, 1255, 580 and 172; House Joint Resolution(s) No(s). 18; also, House Bill(s) No(s). 575 and 578.

The Committee set the following bills on the Regular Calendar for Monday, March 22, 1993: House Bill(s) No(s). 722.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 22, 1993: House Bill(s) No(s). 841, 1454, 150, 805, 111, 443, 434 and 1101.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on Tuesday, March 16, 1993, reported the following:

**AGRICULTURE**

The Agriculture Committee recommended for passage: House Bill(s) No(s). 404 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

**COMMERCE**

The Commerce Committee recommended for passage: House Bill(s) No(s). 121, 550, 561, 677, 924, 935, 954, 992, 1160 and 1395; House Bill(s) No(s). 549, 640, 699, 1105, 1303 and 1522 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1271. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

**CONSUMER AND EMPLOYEE AFFAIRS**

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 1059, 647, 648, 970 and 878; House Bill(s) No(s). 649, 381 and 859 with amendment(s); also, House Joint Resolution(s) No(s). 56. Under the rules, each was transmitted to the Calendar and Rules Committee.

**EDUCATION**

The Education Committee recommended for passage: House Bill(s)

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

No(s). 1594 and 1342; House Bill(s) No(s). 128 and 1343 with amendment(s); also, for adoption: House Joint Resolution(s) No(s). 62. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **FINANCE, WAYS AND MEANS**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 961, 1456, 406, 673, 112 and 113; also, House Bill(s) No(s). 653 and 1389 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **GOVERNMENT OPERATIONS**

The Government Operations Committee recommended for passage: House Bill(s) No(s). 242 and 342. Under the rules, each was transmitted to the Calendar and Rules Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 241.

#### **STATE AND LOCAL GOVERNMENT**

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 477, 1014, 296, 416, 1020, 1305, 1210, 1144, 546, 1520 and 1145; House Bill(s) No(s). 476, 1013, 31, 1066 and 1538 with amendment(s); for adoption: House Resolution(s) No(s). 2; House Joint Resolution(s) No(s). 63 and 73; also, House Joint Resolution(s) No(s). 38 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1497 and 1143. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

#### **TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 531, 1418 and 1232; House Bill(s) No(s). 414 and 1157 with amendment(s); for adoption: House Joint Resolution(s) No(s). 100; also, for concurrence: Senate Joint Resolution(s) No(s). 71. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **REPORT OF CHIEF ENGROSSING CLERK March 16, 1993**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 48, 1147, 1322, 1340, 1408, 1409

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

and 1589; also, House Joint Resolution(s) No(s). 83, 91, 94, 95, 96, 97, 99, 101 and 117.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**March 16, 1993**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 683 and 684; House Joint Resolution(s) No(s). 21, 31, 33, 35 and 36; also, House Resolution(s) No(s). 14 and 15.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 16, 1993**

The Speaker signed the following: House Bill(s) No(s). 683 and 684; House Joint Resolution(s) No(s). 21, 31, 33, 35 and 36; also, House Resolution(s) No(s). 14 and 15.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**March 17, 1993**

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Monday, March 22, 1993: House Bill(s) No(s). 162, 761, 1220, 127, 264, 718, 772, 330, 695, 339, 408, 788, 686, 151, 387, 429 and 593; House Joint Resolution(s) No(s). 47; also, House Bill(s) No(s). 620, 1118, 1016 and 202.

The Committee set the following bill(s) on the Regular Calendar for Wednesday, March 24, 1993: House Bill(s) No(s). 497 and 499.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 22, 1993: House Bill(s) No(s). 118 and 974.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on Wednesday, March 17, 1993, reported the following:

**CONSERVATION AND ENVIRONMENT**

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 533 and 645. Under the rules, each was transmitted to the Calendar and Rules Committee.

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

## HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1166; House Bill(s) No(s). 991 with amendment(s); also, for adoption: House Joint Resolution(s) No(s). 37. Under the rules, each was transmitted to the Calendar and Rules Committee.

## JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1301, 1272, 428 and 223; also, House Bill(s) No(s). 303, 403, 488, 1365 and 212 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 108, 17 and 453 with amendment(s). Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

## SIGNED

March 17, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 37, 76 and 157; also, Senate Joint Resolution(s) No(s). 83.

## MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 93; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0093 -- Memorials, Heroism -- Jean Lollis Hill. by \*Springer.

## INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

\*House Joint Resolution No. 0127 -- Naming and Designating -- "Wyatt-Duke Armory, Brownsville. by \*Crain, \*Naifeh, \*Ridgeway, \*Cole Ronnie, \*Phelan, \*Rinks, \*Collier, \*Pinion, \*Herron.

State and Local Government Committee.

\*House Joint Resolution No. 0129 -- General Assembly, Statement of Intent or Position -- Removes David W. Lanier from office of

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

chancellor of 29th judicial district. by \*Cole Ronnie, \*Pinion, \*Chumney, \*Williams K, \*Knight, \*Owenby, \*Williams Mike, \*Halteman Harwell, \*Stamps, \*Peroulas Draper, \*Brown, \*Herron, \*Duer.

Judiciary Committee.

### RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Thursday, March 18, 1993:

House Joint Resolution No. 0130 -- Memorials, Recognition and Thanks -- Ronnie McDowell. by \*Wix.

House Joint Resolution No. 0131 -- Memorials, Public Service -- Earl Freudenberg, National Heritage Award recipient. by \*McAfee, \*Wood, \*Meyer, \*Stulce, \*Brown, \*Turner B.

### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Thursday, March 17, 1993:

Senate Joint Resolution No. 0093 -- Memorials, Heroism -- Jean Lollis Hill. by \*Springer.

Senate Joint Resolution No. 0110 -- Memorials, Sports -- Tennessee State University women's basketball team.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

\*Senate Joint Resolution No. 0080 -- Highway Signs -- "Jimmy Mann Evans Memorial Bridge," I-40, Cuba Landing.

Transportation Committee.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1611 -- Sharon -- Revises election and term of office of mayor and aldermen. Amends Chapter 177, Acts of 1901, as amended. by \*Herron.

House Bill No. 1612 -- Monterey -- Increases from four to eight

number of aldermen to be chosen; makes five aldermen quorum; directs board of aldermen to divide town into four districts by ordinance with two aldermen for each district and mayor to be elected at large; provides for referendum. by \*Hargrove.

House Bill No. 1613 -- Clarksville -- Permits city council to establish bidding procedures; prohibits city employees' participation in political activities. Amends Chapter 292, Private Acts of 1957, as amended. by \*Head, \*Knight.

#### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

\*Senate Bill No. 0198 -- DUI/DWI Offenses -- Requires use of comparable DUI convictions in other states for purpose of enhancing punishment for DUI conviction in this state. Amends TCA 55-10-403. (HB 0620).

\*Senate Bill No. 0371 -- Urban Renewal -- Provides that senator and representative, whose legislative districts include majority of area of district management corporation, be appointed ex-officio board members; imposes 1 percent interest per month on late payments of assessments to improvement district. Amends TCA, Title 7, Ch. 84, Pt. 5. (HB 0272).

\*Senate Bill No. 0491 -- Sewage -- Requires homeowner to furnish permit for subsurface sewage disposal system or proof that connection will be made to public sewerage system before electrical service will be provided. Amends TCA, Title 68, Ch. 221, Pt. 4. (HB 0540).

\*Senate Bill No. 0572 -- Education, Higher -- Provides for triennial study by THEC of private colleges and universities. Amends TCA, Title 49. (HB 0676).

\*Senate Bill No. 0794 -- Criminal Procedure -- Allows post conviction petition with issue of competency of counsel to be heard by judge other than original hearing judge. Amends TCA 40-30-103. (HB 0688).

\*Senate Bill No. 1020 -- State Government -- Requires declaration of political party affiliation when such is requirement of appointment to state boards; establishes procedure for treatment of independent appointees. Amends TCA, Title 2, Ch. 10, Pt. 2; Title 10, Ch. 7, Pt. 6; Title 33, Ch. 1, Pt. 3; Title 33, Ch. 2, Pt. 2; Title 49, Ch. 1, Pt. 3; Title 49, Ch. 7, Pt. 2; Title 49, Ch. 9, Pt. 2. (HB 1438).

\*Senate Bill No. 1183 -- Criminal Offenses -- Provides that a reckless killing of a child less than 13 years of age, if the child's death results from aggravated child abuse, is first degree

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

murder. Amends TCA, Title 39, Ch. 13, Pt. 2. (HB 0592).

**Senate Bill No. 1252** -- Environment and Conservation, Department of -- Authorizes commissioner to inspect radiation sources; establishes penalties for failure to comply. Amends TCA, Title 68, Ch. 202, Pts. 5, 7. (\*HB 0645).

**Senate Bill No. 1584** -- Highway Signs -- "Charles L. 'Mr. Charlie' Baggett Memorial Highway," U.S. 41, Greenbrier. (\*HB 1595).

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1608** -- Williamson County -- Held on Clerk's desk pending approval by local delegation.

**House Bill No. 1609** -- Decherd -- Held on Clerk's desk pending approval by local delegation.

**House Bill No. 1610** -- Milan -- Held on Clerk's desk pending approval by local delegation.

### CONSENT CALENDAR

**House Joint Resolution No. 0123** -- Memorials, Death -- Billy Cardwell. by \*Walley, \*Crain.

**House Joint Resolution No. 0124** -- Memorials, Recognition and Thanks -- Joe A. Murphy, Jr. by \*Turner B.

**House Joint Resolution No. 0125** -- Memorials, Personal Occasion -- Wedding of Angela Suzanne Thompson and Christopher Howard Conine. by \*Stockburger.

**House Joint Resolution No. 0126** -- Memorials, Recognition and Thanks -- Herman Knowles, Newport. by \*Davis Ronnie.

**House Joint Resolution No. 0128** -- Memorials, Public Service -- Rotary International District 6780 of Tennessee and 9300 of South Africa. by \*Coffey.

### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

**House Joint Resolution No. 128:** by Rep. Armstrong.



**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

Under the rules, House Joint Resolution No. 128 was/were placed at the foot of the calendar for Thursday, March 18, 1993.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 0869 -- Traffic Safety -- Requires horse drawn vehicles used on highways to be equipped with strobe light on top. Amends TCA, Title 55, Ch. 9, Pt. 4.**

Further consideration of House Bill No. 869, previously considered on March 10, 1993, at which time it was reset to the Calendar for March 17, 1993.

Rep. Moore moved that House Bill No. 869 be passed on third and final consideration.

Rep. Moore moved to adopt Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 869 by deleting Section 1 of the printed bill and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 9, Part 4, is amended by adding the following new section:

Section 55-9-4. Instead of the other lighting requirements for vehicles set out in this part, horse drawn vehicles operated on the public roads at night shall comply with the following provisions:

1) Any person that drives a horse drawn vehicle on Tennessee state or county roads must be fourteen (14) years of age or older and complete a course either in school or at a certified Tennessee license examination center on the Tennessee drivers handbook. Upon completion of that course, such person must pass a test on the Tennessee driver handbook and may then be issued a certificate of completion or permit.

2) A horse drawn vehicle that is used for the transportation of people or of products from one point to another shall comply with the lighting requirements of this section. Any horse drawn implement that is used for a specific agriculture practice is not required to comply with these requirements, but shall not be on the public roads thirty (30) minutes after sunset or thirty (30) minutes before sunrise.

3) All horse drawn vehicles shall have a minimum of four hundred (400) square inches of reflective tape on the rear of the vehicle outlining the shape of the horse drawn vehicle from the lowest point to the highest point with a minimum of one hundred (100) square inches of tape being red. There shall also be four hundred (400) square inches of reflective tape on the front of horse drawn vehicles visible from the front for at least five hundred (500) feet and not obstructed by the horses pulling such vehicle.

4) All horse drawn vehicles shall be equipped with a battery powered strobe light that is mounted to the highest most point of the horse drawn vehicles, or a minimum of six (6) feet, eight (8) inches from the ground. The light should be visible from the front or rear and not obstructed from the front of the horse pulling such vehicle. The strobe light shall be powered by a minimum of a twelve (12) volt lantern battery that is in good working order. The strobe light itself should have a lens that is transparent in color with at least a four (4) inch dome that generates sufficient light to be seen one thousand (1000) feet at night.

5) In all instances horse drawn vehicles shall operate on the furthest right of highway, preferably on the shoulder of highway. If horse

drawn vehicles must be on the highway itself before leaving the right of way, the operator must stop the horse drawn vehicle and give an appropriate hand signal before entering the highway itself.

Rep. Haley moved that Amendment No. 1 be tabled, which motion failed.

On motion, Amendment No. 1 was adopted by the following vote:

Ayes. . . . .	50
Noes. . . . .	35
Present and not voting. . . . .	7

Representatives voting aye were: Armstrong, Arriola, Belf, Bittle, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Ferguson, Garrett, Hargrove, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Kernell, Kisber, Lewis, Love, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Pinion, Pruitt, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Tindell, Turner (Hamilton), Turner (Shelby), Whitson, Winningham -- 50.

Representatives voting no were: Allen, Anderson, Boyer, Brooks, Chiles, Coffey, Dixon, Duer, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hassell, Joyce, Kent, Liles, Meyer, Owenby, Phelan, Ramsey, Shirley, Stamps, Stockburger, Stulce, Thompson, Venable, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wood -- 35.

Representatives present and not voting were: Bragg, Haun, Knight, Purcell, Rhinehart, Wix, Mr. Speaker Naifeh -- 7.

Rep. Knight moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
13,760	13,900
140,000	145,000

Rep. Moore moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	32
Noes	48
Present and not voting	12

Representatives voting aye were: Armstrong, Arriola, Bell, Brown, Buck, Byrd, Clark, Cole (Dyer), Collier, Crain, Cross, Davis, Ferguson, Fisher, Garrett, Hargrove, Hillis, Huskey, Jackson, Jones R (Shelby), Love, Miller, Mires, Moore, Napier, Owenby, Pinion, Rigsby, Ritchie, Whitson, Williams (Shelby), Williams (Williamson) -- 32.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Bragg, Brooks, Chiles, Chumney, Coffey, DeBerry, Dixon, Duer, Fowlkes, Gunnels, Haley, Halteman Harwell, Hassell, Herron, Johnson, Joyce, Kent, Kernell, Knight, Lewis, McAfee, McDaniel, Meyer, Odom, Phelan, Pruitt, Purcell, Ramsey, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Turner (Hamilton), Venable, Walley, West, Westmoreland, Williams (Union), Windle, Wood -- 48.

Representatives present and not voting were: Davidson, Kisber, Liles, McKee, Peroulas Draper, Rhinehart, Ridgeway, Tindell, Turner (Shelby), Winningham, Wix, Mr. Speaker Naifeh -- 12.

Rep. Knight renewed the motion to adopt Amendment No. 2, which motion prevailed by the following vote:

Ayes	51
Noes	27
Present and not voting	12

Representatives voting aye were: Allen, Anderson, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Chiles, Chumney, Coffey, Crain, Davidson, DeBerry, Dixon, Duer, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hassell, Herron, Joyce, Kent, Kernell, Knight, McDaniel, McKee, Meyer, Mires, Odom, Owenby, Phelan, Pruitt, Purcell, Ramsey, Ridgeway, Rinks, Robinson, Shirley, Stamps, Stockburger, Thompson, Walley, West, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wood -- 51.

Representatives voting no were: Armstrong, Arriola, Brown, Byrd, Clark, Cole (Dyer), Collier, Cross, Ferguson, Fisher, Hargrove, Hillis, Jackson, Johnson, Jones R (Shelby), Lewis, Love, Miller, Moore, Napier, Pinion, Rigsby, Ritchie, Stulce, Turner (Shelby), Westmoreland, Whitson -- 27.

Representatives present and not voting were: Huskey, Kisber, Liles, McAfee, Rhinehart, Severance, Tindell, Turner (Hamilton), Venable, Winningham, Wix, Mr. Speaker Naifeh -- 12.

Rep. Buck moved to adopt Amendment No. 3 as follows:

### Amendment No. 3

Amend House Bill No. 869 by adding the following new

section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 3 was adopted.

Rep. Moore moved that House Bill No. 869, as amended, be passed on third and final consideration.

Rep. Moore requested that House Bill No. 869 be moved down five places on the Calendar.

House Bill No. 0771 -- Licenses -- Clarifies that licensure requirements for professional geological work do not apply to duly licensed professional engineer. Amends TCA 62-36-102.

Further consideration of House Bill No. 771, previously considered on March 10, 1993, at which time it was reset to the Calendar for March 17, 1993.

Rep. Arriola moved that House Bill No. 771 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

#### Amendment No. 1

Amend House Bill No. 771 By deleting the amendatory language of Section 1 and by substituting instead the following:

Provided, however, this chapter does not require a professional engineer licensed under Tennessee Code Annotated, Title 62, Chapter 2, to be licensed under the provisions of this chapter if such engineer performs services within the engineer's areas of competency and such engineer does not use the title "geologist" or "professional geologist".

On motion, Amendment No. 1 was adopted.

Rep. Arriola moved to adopt Amendment No. 2 as follows:

#### Amendment No. 2

Amend House Bill No. 771 by adding the following as a new

section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section . . . Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

On motion, Amendment No. 2 was adopted.

Rep. Arriola requested that House Bill No. 771 be moved down three places on the Calendar.

\*House Bill No. 0014 -- Banks and Financial Institutions -- Revises definitions under Financial Records Privacy Act; deletes local governments from governmental entities to whom information may be provided pursuant to certain process or requests. Amends TCA, Title 45, Ch. 10.

Rep. Rhinehart moved that House Bill No. 14 be passed on third and final consideration.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

#### REGULAR CALENDAR, CONTINUED

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

##### Amendment No. 1

Amend House Bill No. 14 by deleting Sections 1, 2, 3, and 4 in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 45-10-102, is amended by inserting as a new item (5) the following and by renumbering the existing item (5) and other items accordingly:

"Government authority" means an agency or department of the state of Tennessee, or any officer, employee, or agent thereof;

Section 2. Tennessee Code Annotated, Title 45, Chapter 10, is amended by adding as a new section 117 the following:

45-10-117 (a) Upon application of a government authority, the customer notice required under Section 45-10-106 may be delayed by an order of an appropriate

court issuing a lawful subpoena, if in addition to such other evidence the court receives the presiding judge or magistrate finds that:

- (1) The investigation being conducted is within the lawful jurisdiction of the government authority seeking the financial records;
- (2) There is reason to believe that the records being sought are relevant to a legitimate law enforcement inquiry;
- (3) There is reason to believe that such notice will result in:
  - (A) Endangering life or physical safety of any person;
  - (B) Flight from prosecution;
  - (C) Destruction of or tampering with evidence;
  - (D) Intimidation of potential witnesses; or
  - (E) Otherwise seriously jeopardizing an investigation or official proceeding or unduly delaying a trial or ongoing official proceeding to the same extent as the circumstances in the preceding paragraphs; and

(4) The application for delay is made with reasonable specificity.

(b)(1) If the court makes the findings required in subsection (a) of this section, it shall enter an ex parte order granting the requested delay for a period not to exceed ninety (90) days and an order prohibiting the financial institution from disclosing that records have been obtained or that a request for records has been made.

(2) Extensions of the delay of notice provided in paragraph (1) of up to ninety (90) days each may be granted by the court upon application, but only in accordance with this section.

(3) Upon expiration of the period of delay of notification under paragraph (1) or (2), the customer shall be served with or mailed a copy of the process by the government authority together with the following notice which shall state with reasonable specificity the nature of the law enforcement inquiry.

"Records or information concerning your transactions, which are held by the financial institution named in the attached process or request were supplied to or requested by the government authority named in the process or request on (date). Notification was withheld pursuant to a determination by (title of court so ordering) under the Financial Records Privacy Act that such notice might (state reason). The purpose of the investigation or official proceeding was \_\_\_\_\_."

(c) When access to financial records is obtained pursuant to Tennessee Code Annotated, Section 45-10-107(b), under emergency access, the government authority shall, unless a court has authorized delay of notice pursuant to subsections (a) and (b) of this section, as soon as practical after such records are obtained serve upon the customer or mail by registered or certified mail to his last known address, a copy of the subpoena or other judicial proceedings in which the customer is a party.

(d) Any memorandum, affidavit, or other paper filed in connection with a request for delay in notification shall be preserved by the court. Upon petition by the customer to whom such records pertain, the court may order disclosure of such papers to the petitioner, unless the court makes the findings required in subsection (a) of this section.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that House Bill No. 14, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey,



Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Moore, West -- 2.

A motion to reconsider was tabled.

**House Bill No. 0971** -- Insurance, Health, Accident -- Adds pharmacist, pharmacy, home health agency entity providing infusion therapy services and entity providing medical equipment services to list of health care providers to whom insurance benefits may be assigned by insured. Amends TCA 56-7-120.

Rep. Rhinehart moved that **House Bill No. 971** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 0313** -- Motor Vehicles -- Establishes uniform registration for fleet vehicles. Amends TCA, Title 55, Ch. 4, Pt. 1.

Rep. Kisber moved that **House Bill No. 313** be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 313 by deleting from Section 2(2) the language "revenue" and by substituting instead the language "safety".

On motion, Amendment No. 1 was adopted.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 313 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section \_\_\_\_ Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 313 by deleting the last sentence of subsection (a) of Section 4 and by substituting instead the following:

The commissioner shall collect and distribute to county governments and county government officials the same taxes and fees as would be applicable if the vehicles were registered in the county.

On motion, Amendment No. 3 was adopted.

Rep. Kisber moved that House Bill No. 313, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh --

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

A motion to reconsider was tabled.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 0869 -- Traffic Safety --** Requires horse drawn vehicles used on highways to be equipped with strobe light on top. Amends TCA, Title 55, Ch. 9, Pt. 4.

Further consideration of House Bill No. 869, previously considered on today's Calendar.

Rep. Moore moved that House Bill No. 869, as amended, be reset to the next available calendar, Thursday, March 18, 1993, which motion prevailed.

**\*House Bill No. 1094 -- Motor Vehicles, Titling and Registration --** Authorizes issuance of special license plates to bear "Helping Schools" logo; proceeds from such plates to provide for school equipment and supplies. Amends TCA, Title 55, Ch. 4.

Rep. Moore moved that House Bill No. 1094 be passed on third and final consideration.

Rep. Cole (Dyer) moved to adopt Amendment No. 1, seconded by Rep. Moore, as follows:

#### Amendment No. 1

Amend House Bill No. 1094 by deleting Section 4 of the printed bill in its entirety and by substituting instead the following:

The proceeds from the sale of special plates provided by this act shall be deposited in the general school fund. At the option of the local school board or boards, these funds may be provided to an educational foundation in each system or systems. The foundation is to be duly chartered under the statutes of Tennessee.

The foundation shall allocate the funds solely for supplies, equipment and training for students and certificated employees. To the greatest extent practicable, proceeds shall be distributed to the local education agency which serves the school district in which such proceeds were generated.

On motion, Amendment No. 1 was adopted.

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

Rep. Moore moved that House Bill No. 1094, as amended, be passed on third and final consideration.

Rep. Moore moved that House Bill No. 1094, as amended, be reset to the next available calendar to the Calendar for Thursday, March 18, 1993, which motion prevailed.

**House Bill No. 0771 -- Licenses --** Clarifies that licensure requirements for professional geological work do not apply to duly licensed professional engineer. Amends TCA 62-36-102.

Further consideration of House Bill No. 771, previously considered on today's Calendar.

Rep. Arriola requested that House Bill No. 771 be moved down five places on the Calendar.

**House Bill No. 1282 -- Highway Signs --** "Reverend Kelly Miller Smith, Sr. Memorial Bridge," Jefferson Street, Nashville.

On motion, House Bill No. 1282 was made to conform with Senate Bill No. 615; the Senate Bill was substituted for the House Bill.

Rep. Garrett moved that Senate Bill No. 615 be passed on third and final consideration, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 0701 -- Banks and Financial Institutions --** Establishes compliance with federal law to be sufficient to

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

compliance with state law relating to disclosure of information in connection with deposit accounts. Amends TCA 45-2-618.

Rep. Gunnels moved that House Bill No. 701 be reset to the next available calendar to the Calendar for Thursday, March 18, 1993, which motion prevailed.

**House Bill No. 0795 -- Animals --** Applies barrier systems of moats to all Class I wildlife including animals required to be kept in cages under present law. Amends TCA, Title 70, Ch. 4.

Rep. Tindell moved that House Bill No. 795 be passed on third and final consideration.

Rep. Bell moved adoption of Agriculture Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 795 by deleting Section 1 in its entirety and by substituting in lieu thereof, the following new Section 1:

SECTION 1: Tennessee Code Annotated, Section 70-4-405, is amended first, by deleting Subsection (g)(7) and then renumbering the remaining subsections so that (g)(8) becomes (g)(7) and (g)(9) becomes (g)(8) and second, by adding a new subsection to be designated (g)(9) which shall read, as follows:

(g)(9) Facilities that have met the requirements to be a zoo may use methods approved by the American Association of Zoological Parks and Aquariums for the purpose of restraint, containment and the prevention of escape and public contact for Class I animals in place of the above requirements.

On motion, Amendment No. 1 was adopted.

Rep. Tindell moved that House Bill No. 795, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

(Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 0771 -- Licenses -- Clarifies that licensure requirements for professional geological work do not apply to duly licensed professional engineer. Amends TCA 62-36-102.

Further consideration of House Bill No. 771, previously considered on today's Calendar.

Rep. Arriola moved that House Bill No. 771 be reset two weeks to the Calendar for April 1, 1993, which motion prevailed.

Senate Bill No. 0235 -- Taxes, Real Property -- Authorizes county trustee to designate bank to act as collection agent for taxes; authorizes bank to accept deposits of county and municipal property taxes. Amends TCA 67-5-1801.

Further consideration of Senate Bill No. 235, previously considered on March 11, 1993, at which time it was substituted for House Bill No. 161 and reset to the Calendar for March 17, 1993.

Rep. Anderson moved that Senate Bill No. 235 be passed on third and final consideration.

Rep. Chumney moved that Senate Bill No. 235 be placed by Special Order to the Calendar for Monday, March 22, 1993, which motion she then withdrew. Rep. Chumney then moved that Senate Bill No. 235 be reset to the next available space on the next available calendar, Thursday, March 18, 1993.

Rep. Gunnels moved to table the motion to reset, which motion prevailed by the following vote:

Ayes. . . . .	58
Noes. . . . .	25
Present and not voting. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Chiles, Coffey, Cole (Dyer), Collier, Cross, Davidson, Davis, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Hillis, Huskey, Johnson, Joyce, Kent, Kisber, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Owenby, Peroulas Draper, Phelan, Pinion, Ramsey, Rhinehart,

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

Ridgeway, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, Westmoreland, Whitson, Williams (Union), Wood -- 58.

Representatives voting no were: Brooks, Brown, Buck, Byrd, Chumney, Clark, DeBerry, Dixon, Fisher, Herron, Jones R (Shelby), Jones U (Shelby), Kernell, Miller, Odom, Phillips, Pruitt, Purcell, Robinson, Thompson, Turner (Shelby), West, Williams (Shelby), Williams (Williamson), Windle -- 25.

Representatives present and not voting were: Bragg, Crain, Jackson, Knight, Moore, Winningham -- 6.

Rep. Anderson moved that **Senate Bill No. 235** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	83
Noes. . . . .	1
Present and not voting. . . . .	9

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Chiles, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Phillips -- 1.

Representatives present and not voting were: Brown, Chumney, DeBerry, Jones U (Shelby), Kernell, Knight, Miller, Pruitt, West -- 9.

A motion to reconsider was tabled.

**House Bill No. 0103 -- Pensions and Retirement Benefits --** Authorizes County Officials Association of Tennessee to be participating employer in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2.

Further consideration of House Bill No. 103, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 103 was made to conform with **Senate Bill No. 85**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 85 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

House Joint Resolution No. 0119 -- Memorials, Sports -- Vanderbilt University women's basketball team.

Further consideration of House Joint Resolution No. 119, previously considered on March 15, 1993, on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

Rep. Love moved that House Joint Resolution No. 119 be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson),



WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 0173 -- Public Funds and Financing -- Enacts "Financially Distressed Municipalities, Counties, Utility Districts and Education Agencies Act of 1993". Amends TCA, Title 9, Ch. 13.**

On motion, House Bill No. 173 was made to conform with **Senate Bill No. 132**; the Senate Bill was substituted for the House Bill.

Rep. R. Jones moved that **Senate Bill No. 132** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	0
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Venable, Westmoreland, Whitson -- 3.

A motion to reconsider was tabled.

**House Bill No. 0921 -- Election Laws -- Allows nonpartisan municipal elections unless municipality's charter permits for partisan elections; allows partisan municipal election nominations. Amends TCA, Title 2, Ch. 13, Pt. 2.**

Further consideration of House Bill No. 921, previously considered on March 15, 1993, on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 921 was made to conform with **Senate Bill No. 140**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 140** be passed on third and final consideration.

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

Rep. Kisber requested that Senate Bill No. 140 be moved down five places on the Calendar.

**House Bill No. 0425 -- Taxes, Real Property --** Enables recorders or other officers to sell real estate for which delinquent taxes have not been paid; sets out publication requirements for such sales. Amends TCA 6-55-201, 203.

Further consideration of House Bill No. 425, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 425 was made to conform with Senate Bill No. 597; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 597 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haltzman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Haley, Jones R (Shelby), Shirley -- 3.

A motion to reconsider was tabled.

**House Bill No. 0737 -- Real Estate Agents and Brokers --** Requires that applicant for affiliate real estate broker's license have high school diploma or GED; requires that all affiliate brokers complete 30 hours of educational courses within one year of obtaining license. Amends TCA 62-13-303.

Further consideration of House Bill No. 737, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

Rep. Huskey moved that House Bill No. 737 be reset one week to the Calendar for March 24, 1993, which motion prevailed.

**House Bill No. 1601** -- Bartlett -- Revises and reenacts charter. Amends Chapter 449, Acts of 1905, as amended.

Rep. Byrd moved that House Bill No. 1601 be reset one week to the Calendar for March 24, 1993, which motion prevailed.

**House Bill No. 0341** -- Sunset Laws -- Housing development agency, board of directors, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 13, Ch. 23.

Further consideration of House Bill No. 341, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 341 was made to conform with **Senate Bill No. 114**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 114** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Pergolas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: DeBerry -- 1.

A motion to reconsider was tabled.

**House Bill No. 0336** -- Sunset Laws -- Tennessee consolidated retirement system, board of trustees, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 8, Ch. 34.

Further consideration of House Bill No. 336, previously considered on March 15, 1993, on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 336 was made to conform with **Senate Bill No. 102**; the Senate Bill was substituted for the House Bill.

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

Rep. Kernell moved that Senate Bill No. 102 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*Senate Bill No. 0140 -- Election Laws --** Allows nonpartisan municipal elections unless municipality's charter permits for partisan elections; allows partisan municipal election nominations. Amends TCA, Title 2, Ch. 13, Pt. 2.

Further consideration of Senate Bill No. 140, previously considered on today's Calendar.

Rep. Kisber moved that Senate Bill No. 140 be reset to the Calendar for Thursday, March 18, 1993, which motion prevailed.

**House Bill No. 0335 -- Sunset Laws --** Medical board of TCRS, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 8, Ch. 34, Pt. 4.

Further consideration of House Bill No. 335, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 335 was made to conform with Senate Bill No. 118; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 118 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 0328 -- Sunset Laws -- State board of occupational and physical therapy examiners, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 13.

Further consideration of House Bill No. 328, previously considered on March 15, 1993 on the Consent Calendar, at which time it was reset to the Regular Calendar for March 17, 1993.

On motion, House Bill No. 328 was made to conform with Senate Bill No. 123; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 123 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

**House Bill No. 0656 -- Mental Illness --** Empowers certain persons other than licensed physicians to examine, apprehend, certify and testify that individual needs emergency psychiatric hospitalization. Amends TCA 33-3-504, 33-6-103.

Further consideration of House Bill No. 656, previously considered on March 15, 1993, at which time the House adopted Amendment No. 1 and the bill was reset to the Calendar for March 17, 1993.

Rep. Hargrove moved that House Bill No. 656, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Grain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mirs, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 0657 -- Nurses, Nursing --** Expands exemption from regulation as nurse to include certain employees of DMHMR in residential treatment facilities and group homes. Amends TCA 63-7-102.

Further consideration of House Bill No. 657, previously considered on March 15, 1993 at which time it was reset to the Calendar for March 17, 1993.

Rep. Hargrove moved that House Bill No. 657 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 657 by deleting in its entirety the amendatory language of Section 1, and by substituting instead the following language:

(10) Persons trained according to standards set by the department of mental health and mental retardation to assist with the self-administration of non-injectable medication in programs or residential facilities licensed by and contracted with the department. This exemption does not apply with respect to those individuals incapable of self-administration as determined by standards set by the department.

Rep. Rhinehart moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted, with Rep. Shirley requesting to be recorded as voting no.

Rep. Hargrove moved that House Bill No. 657, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	82
Noes. . . . .	8
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Gunnels, Halteman, Harwell, Hargrove, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 82.

Representatives voting no were: Brooks, Brown, Haley, Hassell, Kent, Shirley, Stamps, Williams (Shelby) -- 8.

Representatives present and not voting were: McAfee -- 1.

A motion to reconsider was tabled.

House Bill No. 0872 -- Human Services, Dept. of -- Authorizes Tennessee Task Force Against Domestic Violence to nominate candidates for Advisory Committee on Family Violence Shelters and Child Abuse Prevention Services; prohibits employee or board member of agency receiving state funding to serve on advisory committee. Amends TCA 71-6-203.

Further consideration of House Bill No. 872, previously considered on March 15, 1993, at which time it was reset to the Calendar for March 17, 1993.

Rep. Moore moved that House Bill No. 872 be passed on third and final consideration.

Rep. Williams (Shelby) moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 872 by changing the semicolon to a period after the words "successive terms" in the second sentence of the amendatory language of Section 1 and by deleting the remainder of the second sentence after that semicolon.

Rep. Moore moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	53
Noes. . . . .	36
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bragg, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Ferguson, Fowlkes, Gunnels, Hargrove, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Kernell, Kisber, Lewis, Love, McKee, Miller, Mires, Moore, Odom, Owenby, Phelan, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Tindell, Whitson, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Allen, Bittle, Boyer, Brooks, Byrd, Coffey, Dixon, Duer, Fisher, Haley, Halteman Harwell, Hassell, Haun, Herron, Jones R (Shelby), Joyce, Kent, Liles, McAfee, McDaniel, Meyer, Napier, Peroulas Draper, Ramsey, Shirley, Stamps, Stockburger, Thompson, Turner (Shelby), Venable, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Wood -- 36.

Representatives present and not voting were: Knight -- 1.

Rep. Moore moved that House Bill No. 872 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	75
Noes. . . . .	14

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, ~~Chiles~~, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, ~~DeBerry~~, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Hargrove, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stamps, Stulce, Tindell, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 75.



**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

Representatives voting no were: Chumney, Haley, Hassell, Haun, Herron, Joyce, Kent, Peroulas Draper, Ramsey, Shirley, Stockburger, Westmoreland, Williams (Shelby), Williams (Union) -- 14.

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 872 and have this statement entered in the Journal: Rep(s). Halteman Harwell.

### **UNFINISHED BUSINESS**

#### **NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 18, 1993:

House Bill No. 266: Rep. Robinson

House Joint Resolution No. 32: Rep. Hillis

### **SPONSORS ADDED**

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 38: Rep(s). Stockburger as prime sponsor(s).

House Bill No. 264: Rep(s). Chiles as prime sponsor(s).

House Bill No. 304: Rep(s). Winningham as prime sponsor(s).

House Bill No. 305: Rep(s). Winningham as prime sponsor(s).

House Bill No. 306: Rep(s). Winningham as prime sponsor(s).

House Bill No. 307: Rep(s). Winningham as prime sponsor(s).

House Bill No. 421: Rep(s). Haley as prime sponsor(s).

House Bill No. 472: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 592: Rep(s). Bell, Winningham, Peroulas Draper, Napier, Williams (Williamson), Owenby, Knight, Hillis, Ferguson, Wix, Mires, Cole (Dyer), Ritchie, Brown, Rinks, Windle, Rigsby.

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

McKee, Williams (Union), Ridgeway, Cross, Pinion, Phelan, Lewis, Tindell, McAfee and Davidson as prime sponsor(s).

**House Bill No. 699:** Rep(s). Peroulas Draper as prime sponsor(s).

**House Bill No. 1085:** Rep(s). Haley as prime sponsor(s).

**House Bill No. 1094:** Rep(s). Jackson, Turner (Hamilton) and Knight as prime sponsor(s).

**House Bill No. 1418:** Rep(s). Haley as prime sponsor(s).

#### **SPONSORS REMOVED**

On motion, Rep. Whitson was removed as sponsor of House Bill No. 867.

On motion, Rep. Peroulas Draper was removed as sponsor of House Bill No. 1028.

#### **MESSAGE FROM THE GOVERNOR**

**March 17, 1993**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 4, 48, 51, 109, 547, 644, 840, 982, 1147, 1322, 1340, 1408, 1409 and 1589; also, House Joint Resolution(s) No(s). 80, 83, 85, 86, 88, 89, 91, 94, 95, 96, 97, 99, 101, 104 and 117; with his approval.

DAVID H. WELLES, Counsel to the Governor.

#### **ENGROSSED BILLS**

**March 17, 1993**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 123, 124, 125 and 126.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

#### **MESSAGE FROM THE SENATE**

**March 17, 1993**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 345; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 105, 108, 110, 111, 113, 114 and 115; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 17, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 14, 313, 656, 657, 795, 872 and 971; also, House Joint Resolution(s) No(s). 119.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 683 and 684; also, House Joint Resolution(s) No(s). 21, 31, 33, 35 and 36; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 82, 85, 86 and 103; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 17, 58, 81, 373, 468, 472, 503, 519, 556, 724, 756, 839, 888, 1221, 1474 and 1547; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 17, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 90, 91, 92, 94, 95, 96, 97, 99, 105, 106

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

and 107; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**Senate Joint Resolution No. 0090 -- Memorials, Sports -- Humboldt High School football team. by \*McKnight.**

**Senate Joint Resolution No. 0091 -- Memorials, Sports -- Jackson Northside High School football team. by \*McKnight.**

**Senate Joint Resolution No. 0092 -- Memorials, Sports -- Bruceton-Hollow Rock High School football team. by \*McKnight.**

**Senate Joint Resolution No. 0094 -- Memorials, Sports -- Summertown High School baseball team. by \*Springer.**

**Senate Joint Resolution No. 0095 -- Memorials, Sports -- Battle Ground Academy football team. by \*Springer, \*Jordan.**

**Senate Joint Resolution No. 0096 -- Memorials, Personal Achievement -- William Bailey Allen, III, Eagle Scout. by \*Rice.**

**Senate Joint Resolution No. 0097 -- Memorials, Sports -- Southside Saints boys' basketball team. by \*Rochelle.**

**Senate Joint Resolution No. 0099 -- Memorials, Professional Achievement -- Chattanooga Goodwill Industries, Inc., 70th Anniversary. by \*Crutchfield.**

**Senate Joint Resolution No. 0105 -- Naming and Designating -- "Buy America" month, July 1993. by \*Burks, \*McKnight.**

**Senate Joint Resolution No. 0106 -- Memorials, Recognition and Thanks -- Tennessee 4-H Clubs. by \*Burks, \*McKnight.**

**Senate Joint Resolution No. 0107 -- Naming and Designating -- Police Memorial Week, May 10-16, 1993. by \*Burks, \*McKnight.**

**MESSAGE FROM THE SENATE**

**March 17, 1993**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 66, 230, 362 and 442; passed by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**\*Senate Bill No. 0066 -- Courts, Municipal -- Authorizes popular election of municipal court judges with eight year term and fixed salary. Amends TCA, Title 16; Title 38, Ch. 4, Pt. 1; Title 40, Chs. 1, 5. by \*Rochelle, \*Jordan, \*McKnight.**

**\*Senate Bill No. 0230 -- Banks and Financial Institutions -- Establishes compliance with federal law to be sufficient to compliance with state law relating to disclosure of information in**

**WEDNESDAY, MARCH 17, 1993 -- TWENTY-FIRST LEGISLATIVE DAY**

connection with deposit accounts. Amends TCA 45-2-618. by \*Albright.

\*Senate Bill No. 0362 -- Zoning -- Authorizes notice of county ordinances by publishing summary of ordinance. Amends TCA; Title 13, Ch. 7. by \*Rice, \*Jordan.

\*Senate Bill No. 0442 -- Planning, Public -- Exempts from local or regional zoning and planning regulations certain areas from which borrow material is excavated for road work construction projects for state if certain conditions met. Amends TCA, Titles 13, 54. by \*McKnight, Hamilton.

**CONSENT CALENDAR  
March 17, 1993**

The following local bills have been placed on the Consent Calendar for Monday, March 22, 1993: House Bill(s) No(s). 1474, 1599, 1600, 1603, 1605, 1607 and 1609.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, March 18, 1993.